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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/542,564	10/13/95	MINOR	H A-62536/WSG
22M2/0317			EXAMINER
FLEHR HOHBACH TEST ALBRITTON AND HERBERT SUITE 3400 FOUR EMBARCADERO CENTER SAN FRANCISCO CA 94111			ART UNIT: 2202 PAPER NUMBER: 6

DATE MAILED: 03/17/97

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 12/23/96 ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), — days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449.                 | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152.       |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474.     | 6. <input type="checkbox"/>   |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-2/ are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2. ☐ Claims \_\_\_\_\_ have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 1-2/ are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Art Unit: 2202

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

2. Claims 1-21 are rejected under 35 U.S.C. 102(b) or 102(e) as being anticipated by any person using Netscape software obtain demographic information from the United States Census Bureau or any other source of demographic information.

Internet uses hyperlinking for the transfer of data, and has been doing so more than one year before the filing date of the instant application. Netscape software has been using encryption along with the hyperlinking for the transfer of data for more than one year before the filing date of the instant application. The United States Census Bureau of the United States Department of Commerce has had an Internet website for the hyperlinked transfer of demographic data since at least some time in 1994. It is believed that the Census website was operating before October 13, 1994 since the Bureau of the Census received Vice President Gore's Hammer Award for its website in December 1994 and since it received the Global Network Navigator-Best of the Net Award in 1994. Please see the copies of the U.S. Census Bureau homepage and Internet Site Awards and Acknowledgments page from <http://www.census.gov/> and of the article "U.S. Export

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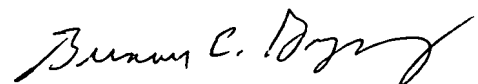
Restricted Software Download FAQ" from <http://wwwus.netscape.com/eng/US-Current/faq.html>.

The article discusses the encryption used in Netscape.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The copies of the U.S. Census Bureau homepage and Internet Site Awards and Acknowledgments page from <http://www.census.gov/> and of the article "U.S. Export Restricted Software Download FAQ" from <http://wwwus.netscape.com/eng/US-Current/faq.html> are cited as of interest in the context of the rejection under 35 USC 102(b) and 102(e) hereinabove.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr Gregory whose telephone number is (703) 306-4153 and whose FAX number is (703) 306-4195.



BERNARR E. GREGORY  
PRIMARY EXAMINER  
GROUP 2200

beg  
March 14, 1997